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TO: Mail Stop AF - Commissioner for Patents – U.S. Patent Office
FAX NO.:(571) 273-8300
FROM: Robert M. Brush
DATE:July 30, 2007
MATTER: <u>Serial No. 10/812,139</u> Filed: <u>March 29, 2004</u>
DOCKET NO.: VRTS/0702
IN RE APPLICANT OF: Pavan Declasee
The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:
Petitlon for Extension of Time Disclosure Statement & PTO-1449 Priority Document X Response to Final Office Action Mailed May 30, 2007.  X Transmittal Letter Fee Transmittal (2 copies) Deposit Account Transaction X Facsimile Transmission Certificate dated July 30, 2007
CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8
I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for Patents, Alexandria, VA 22313-1450,on <u>July 30, 2007</u> , Facsimile No. (571) 273-8300.
Angela M. Fiorino  Name of person signing this certificate  Or/30/2007  Signature and date

	U.S.	Patent and Tradems	ved for use through 09/30/2007, OMB 0651-00 ark Office; U.S. DEPARTMENT OF COMMERC	Œ
Under the Panatwork Reduction Act of 1995, no pe	rsons are required to respond to a c Application Number	10812.139	<u>m unless il disolava a valid OMB control numb</u>	<b>E.</b>
TRANSMITTAL	Filing Date		DECEN	긢
	First Named Inventor	March 29, 2004 Payn Decisees	RECEIV	
FORM	Art Unit	2114	CENTRAL FAX	E
	Examiner Name		M. JUL 30 2	m
(to be used for ell correspondence after initial filing)	Attorney Docket Number	Bonum, Timothy	m. 502 3 0 2	.00
Total Number of Pages in This Submission	Attorney Docket Number	VRT\$0702		J
E	NCLOSURES (Check a	il that apply)		
Document(s)  Reply to Missing Parts/ Incomplete Application	Drawing(e)  Licensing-related Papers  Petition Petition to Convert to a Provisional Application Power of Attorney, Revocate Change of Correspondence Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on Cemarks  ough the Applicants believe no Immissioner is authorized to characteristics.	Address  CD  Tees are due in corps Deposit Accour	After Allowance Communication to To Appeal Communication to Board of Appeals and Interferences  Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  Proprietary Information  Status Letter Other Enclosure(s) (please Identify below):	
SIGNATUR	E OF APPLICANT, ATT	DRNEY, OR A	GENT	
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ignature  Timled name Robert M. Brush late July 30, 2007  CERT  hereby certify that this correspondence is being ufficient postage as first class mail in an envelope as date shown below:	TIFICATE OF TRANSMISS  Jecsimile transmitted to the USP and decimal to the USP and decimal to the USP	SION/MAILING	3 With the United States Postal Service with	
ignature  Timted name Robert M. Brush  July 30, 2007  CERT  hereby certify that this correspondence is being ufficient postage as first class mail in an envelop as date shown below:	facsimile transmitted to the USP	SION/MAILING	3 With the United States Postal Service with	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Tradement Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patentia, P.O. Box 1450, Alexandria, VA 22313-1450.

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RESPONSE TO FINAL OFFICE ACTION MAILED MAY 30, 2007 Page 1 of 8

JUL 3 0 2007 S/N: 10/812,139 S/N: 10/812,139 VRTS0702

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Payan Declasee

Serial No.: 10/812,139

Confirmation No.: 2165

Filed: March 29, 2004

For: Method And Apparatus For Performing Backup Storage Of Checkpoint Data Within A Server

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Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 ๛๛๛๛๛๛๛๛๛๛๛

Atty. Docket No.: VRTS0702

Group Art Unit: 2114

Examiner: Bonura, Timothy M.

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being transmitted by facsimile under 37 C.F.R. §1.8 on <u>July 30, 2007</u>, and is addressed to Mall Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

July 30, 2007

Date

Signatura - Angela M. Fiorino

## RESPONSE TO FINAL OFFICE ACTION MAILED MAY 30, 2007

Sir:

In response to the Final Office Action mailed May 30, 2007, which has a shortened statutory period for response set to expire on August 30, 2007, the Applicants request the Office enter this response and reconsider the claims pending in the application for reasons discussed below. Although the Applicants believe that no fee is due in connection with this response, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 50-3562 for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.